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EXAMINER

COLON, CATHERINE M

ART UNIT	PAPER NUMBER
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3623

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/382,141

Applicant(s)

FERGUSON ET AL.

Examiner

C. Michelle Colon

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 October 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 32-73 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 32-73 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. The following is a Non-Final Office Action in response to the communication received on October 15, 2002. Claims 1 – 31 have been cancelled. Claims 32 – 73 have been added and are now pending in this application.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 64, 65, 67 – 73 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

The basis of this rejection is set forth in a two-prong test of:

- (1) whether the invention is within the technological arts; and
- (2) whether the invention produces a useful, concrete, and tangible result.

As per the first prong of the test, for a claimed invention to be statutory, the claimed invention must be within the technological arts. Mere ideas in the abstract (i.e., abstract idea, law of nature, natural phenomena) that do not apply, involve, use, or advance the technological arts fail to promote the "progress of science and the useful arts" (i.e., the physical sciences as opposed to social sciences) and therefore are found to be non-statutory subject matter. For a process claim to be satisfactory, the recited process must somehow apply, involve, use, or advance the technological arts.

In the present case, claims 64, 65, 67 – 73 only recite an abstract idea. The recited steps of merely classifying an individual in a work environment as a member of a

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work pattern group do not apply, involve, use, or advance the technological arts since all of the recited steps can be performed in the mind of a person or by use of a pencil and paper and without the need of a computer or other technology. These steps only constitute an idea of how to classify a person in a work environment into a predefined group based on various characteristics.

As per the second prong of the test, for a claimed invention to be statutory, the claimed invention must produce a useful, concrete, and tangible result. In the present case, the claimed invention produces a classification scheme for a work environment based on work pattern characteristics (i.e., concrete) and associates individuals with at least one group in the classification scheme (i.e., useful and tangible).

Although the recited process produces a useful, concrete, and tangible result, since the claimed invention, as a whole, is not within the technological arts as explained above, claims 64, 65, 67 – 73 are directed to non-statutory subject matter.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 41 and 63 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 41 recites the limitation "the diagnostic engine" and depends upon claim 32, which does not mention a diagnostic engine. There is insufficient antecedent basis for this limitation in the claim.

Claim 63 refers to various groups as if they were presented in the claim from which 63 depends, which is claim 43. However, claim 43 does not mention any groups. Examiner believes Applicant meant claim 63 to depend upon claim 47. Additionally, claim 63 would be considered allowable if its dependency was corrected to depend upon claim 47.

Appropriate correction is required.

Allowable Subject Matter

6. Claim 69 would be considered allowable if it overcomes the 101 rejections above. Claim 63 would be considered allowable if it overcomes the 112 rejections above.

7. The following is an examiner's statement of reasons for allowance: None of the prior art of record, taken individually or in any combination, teach, *inter alia*, a method of classifying an individual in a work environment as a member of at least one of a plurality of work pattern groups comprising a first group, a second group, a third group, a fourth group, a fifth group, and a sixth group, the method comprising: measuring a work characteristic of the individual associated with performance of work by the individual; and identifying the individual as a member of at least one of the plurality of work pattern groups based on the work characteristic measured for the individual; *wherein work*

*characteristics associated with the first group include a tight work focus, highly
protooled work processes, and a low degree of interaction with other individuals in the
work environment; wherein work characteristics associated with the second group
include a contextual work focus, moderately protooled work processes, and a
moderate degree of interaction with other individuals in the work environment; wherein
work characteristics associated with the third group include a wide work focus, logistics-
oriented work processes, and a high degree of interaction with other individuals in the
work environment; wherein work characteristics associated with the fourth group include
a wide work focus, highly variable work processes, and a high degree of interaction with
other individuals in the work environment; wherein work characteristics associated with
the fifth group include a contextual work focus, moderately variable work processes,
and a moderate degree of interaction with other individuals in the work environment;
and wherein work characteristics associated with the sixth group include a tight work
focus, well-defined work processes, and a low degree of interaction with other
individuals in the work environment.*

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 32 – 36, 42 and 64 – 66 are rejected under 35 U.S.C. 103(a) as being unpatentable over Paizis (U.S. 6,338,042).

As per claim 32, Paizis discloses a tool for classifying an individual within an organization based on work pattern data obtained from the individual, comprising:

an interface for obtaining work pattern data associated with the individual (col. 2, lines 50 – 58; Figures 5A – 5C and 6; The reference discloses obtaining information related to job performance of individuals.); and

a system for correlating the work pattern data from the individual with at least one pattern comprising predefined characteristics so that the individual can be classified as a member of at least one work pattern group based on the correlation of the work pattern data from the individual to the predefined characteristics of the at least one work pattern corresponding to the at least one work pattern group (col. 2, lines 50 – 65; col. 4, lines 10 – 41; The reference discloses grouping individuals with similar job responsibilities (i.e., work pattern data) and further, associating those groups with predefined characteristics with which to measure job performance.).

Paizis does not expressly disclose wherein the work pattern data used to classify the individual within at least one work pattern group comprises (a) an amount of interaction by the individual with other individuals, (b) a degree to which work performed by the individual is focused, or (c) a degree to which work performed by the individual adheres to a defined procedure.

However, Paizis does disclose defining characteristics for a particular position (i.e., work pattern group) in order to evaluate the performance of an individual. Paizis

further provides examples of such predefined characteristics, including the ability to work with others, and acknowledges that they differ according to position, such as support staff versus manager (col. 4, lines 42 – 58).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to further define work pattern data to include an amount of interaction between individuals, a degree to which work performed is focused, or a degree to which work performed adheres to a defined procedure because such characteristics provide additional measurements with which to conduct the performance evaluation of an individual in a particular position, thus refining the performance evaluation process.

As per claim 33, Paizis does not expressly disclose the tool of claim 32 wherein the predefined characteristics of each work pattern are based on characteristics of individuals understood to be members of a corresponding work pattern group and comprise a degree to which work performed by a member of the corresponding work pattern group is focused, an amount of interaction between a member of the corresponding work pattern group and other individuals, and a degree to which work performed by a member of the corresponding work pattern group follows a defined procedure.

However, Paizis does disclose defining characteristics for a particular position (i.e., work pattern) in order to evaluate the performance of an individual. Paizis further provides examples of such predefined characteristics, including the ability to work with

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others, and acknowledges that they differ according to position, such as support staff versus manager (col. 4, lines 42 – 58).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to further define work pattern data to include an amount of interaction between individuals, a degree to which work performed is focused, or a degree to which work performed adheres to a defined procedure because such characteristics provide additional measurements with which to conduct the performance evaluation of an individual in a particular position, thus refining the performance evaluation process.

As per claim 34, Paizis does not expressly disclose the tool of claim 33, wherein the predefined characteristics of each work pattern further comprise a type of information used by a member of the corresponding work pattern group, a number of work foci of a member of the corresponding work pattern group, and a degree of mobility within the work environment of a member of the corresponding work pattern group.

However, Paizis does disclose predefined characteristics with which to evaluate performance for a particular position (i.e., work pattern), including the ability to work with others, contributions to leadership and the level of contribution to overall business goals (col. 4, lines 42 – 58); all of which are higher levels of detail of the predefined characteristics in claim 34.

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to further define work pattern data to include a type of information

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used by a member of the corresponding work pattern group, a number of work foci of a member of the corresponding work pattern group, and a degree of mobility within the work environment of a member of the corresponding work pattern group because such characteristics provide additional measurements with which to conduct the performance evaluation of an individual in a particular position, thus refining the performance evaluation process.

As per claim 35, Paizis does not expressly disclose the tool of claim 32, wherein the at least one work pattern group comprises a Processor group, a Keeper group, a Concierge group, a Broker group, a Player group, and a Specialist group.

However, Paizis does disclose grouping individuals with common roles (col. 2, lines 50 – 55; col. 4, lines 36 – 37). Paizis further provides examples of groups such as support staff and technical staff (col. 4, lines 42 – 54).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to associate the groupings with specific titles that further define the groups because doing so facilitates the organization of individuals based on their roles, which further enhances the performance evaluation process.

As per claim 36, Paizis discloses the tool of claim 32, wherein the predefined characteristics comprise a degree to which work performed by a member of the corresponding work pattern group is task-based and a degree to which work performed by a member of the corresponding work pattern group is knowledge-based (col. 3, lines 6 – 16; col. 4, lines 42 – 58).

As per claim 42, Paizis discloses the tool of claim 32, wherein the system comprises a database configured to correlate the work pattern data with the predefined characteristics of at least one work pattern (col. 11, lines 30 – 32; col. 12, lines 1 – 6).

As per claim 64, Paizis discloses a method of classifying an individual in a work environment as a member of at least one of a plurality of work pattern groups corresponding to at least one of a plurality of work patterns based on work pattern data associated with the individual, the method comprising:

correlating first work pattern data and second work pattern data and third work pattern data of the individual at least one of the plurality of work patterns (col. 2, lines 50 – 65; col. 4, lines 10 – 41; The reference discloses grouping individuals with similar job responsibilities (i.e., work pattern data) and further, associating those groups with predefined characteristics with which to measure job performance.); and

classifying the individual as a member of at least one of the work pattern groups based on the correlation between work pattern data and at least one of the plurality of work patterns (col. 2, lines 50 – 65; col. 4, lines 10 – 41; The reference discloses grouping individuals with similar job responsibilities (i.e., work pattern data) and further, associating those groups with predefined characteristics with which to measure job performance.).

Paizis does not expressly disclose measuring first work pattern data of the individual representative of a degree of interaction between the individual and other individuals in the work environment; measuring second work pattern data of the individual representative of a degree of focus associated with work performed by the

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individual in a work environment; and measuring third work pattern data of the individual representative of a degree of protocol governing the work performed by the individual in the work environment.

However, Paizis does disclose defining characteristics for a particular position (i.e., work pattern group) in order to evaluate the performance of an individual. Paizis further provides examples of such predefined characteristics, including the ability to work with others, and acknowledges that they differ according to position, such as support staff versus manager (col. 4, lines 42 – 58).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to further define work pattern data to include an amount of interaction between individuals, a degree to which work performed is focused, or a degree to which work performed adheres to a defined procedure because such characteristics provide additional measurements with which to conduct the performance evaluation of an individual in a particular position, thus refining the performance evaluation process.

As per claim 65, Paizis does not expressly disclose the method of claim 64, wherein the work pattern groups comprise a Processor group, a Keeper group, a Concierge group, a Broker group, a Player group, and a Specialist group.

However, Paizis does disclose grouping individuals with common roles (col. 2, lines 50 – 55; col. 4, lines 36 – 37). Paizis further provides examples of groups such as support staff and technical staff (col. 4, lines 42 – 54).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to associate the groupings with specific titles that further define the groups because doing so facilitates the organization of individuals based on their roles, which further enhances the performance evaluation process.

As per claim 66, Paizis discloses the method of claim 64 wherein the steps of correlating and classifying are performed by a computer program (Figure 6).

10. Claims 37 – 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Paizis (U.S. 6,338,042) and Bonnstetter et al. (U.S. 5,551,880).

As per claims 37, 40 and 41, Paizis does not expressly disclose the tool of claim 32, wherein the system comprises a diagnostic engine comprising digital data stored on a digital storage medium.

However, Paizis does disclose performing analyses on performance data using regression algorithms and other processing methods (col. 2, lines 46 – 65; col. 3, lines 6 – 16; col. 11, lines 17 – 35; Figures 3A, 5A – 5C and 6).

Bonnstetter et al. discloses a diagnostic engine stored on a storage medium (col. 5, lines 22 – 56; Figures 1, 3B, 3C, 4, 6, 7 and 8).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to utilize a diagnostic engine because doing so provides an efficient and effective means for performing analyses based on defined rules and logic.

As per claim 38, Paizis discloses the tool of claim 37, wherein the digital storage medium is a computer hard disk drive (col. 11, lines 7 – 35; Figure 6).

As per claim 39, Paizis does not expressly disclose the tool of claim 32, wherein the interface is an interactive questionnaire.

Bonnstetter et al. discloses an interactive questionnaire (col. 3, lines 8 – 21; col. 5, lines 17 – 28; Figures 1, 2 and 5).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to utilize an interactive questionnaire because doing so provides an efficient and convenient means for obtaining data from a user.

11. Claims 43 – 62 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barney et al. (U.S. 6,070,143).

As per claim 43, Barney et al. discloses a system for prescribing a knowledge management solution in a work environment, comprising:

a diagnostic tool (col. 2, line 56 – col. 3, line 6; col. 4, line 63 – col. 5, line 30; Figure 1; The reference discloses a diagnostic tool for performing job analyses.);

an interface coupled to the diagnostic tool for obtaining work pattern data associated with the individual (col. 3, lines 36 – 45; col. 5, lines 31 – 43; Figures 1 and 6 – 11);

a plurality of work patterns (col. 5, lines 31 – 62; Figure 1; The reference discloses maintaining various work pattern information in databases.); and

a prescription tool (col. 7, lines 21 – 39; The reference discloses a tool for determining what human resource products to prescribe.);

wherein the diagnostic tool correlates the work pattern data with at least one of the work patterns and defines a personal profile based on the correlation and wherein the prescription tool recommends a knowledge management solution for the individual based on the personal profile (col. 7, lines 21 – 39; col. 8, line 59 – col. 9, line 23; The reference discloses a wizard for analyzing various aspects of a job and/or task such as knowledge, skills, abilities, etc., and recommending a knowledge management product based on the analysis.).

Barney et al. does not expressly disclose performing the knowledge management solution for an individual; rather, Barney et al. discloses performing the knowledge management solution for particular jobs and tasks to be performed by an individual.

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to provide knowledge management solutions for individuals rather than jobs because doing so provides customized analyses catered to the specific needs of the individual.

As per claim 44, Barney et al. discloses the system of claim 43 further comprising a plurality of organizational information flow models wherein organizational data associated with the work environment of the individual is obtained via the interface and the diagnostic engine correlates the organizational data with the organization information flow models and the prescription tool further recommends the knowledge management solution based on the organizational correlation (col. 5, lines 31 – 62; col.

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7, lines 10 – 50; The reference discloses analyzing environmental work conditions and recommending a knowledge management product based on the analyses.).

As per claim 45, Barney et al. does not expressly disclose the system of claim 44 wherein the organizational information flow models comprise a Channeled model, a Centered model, a Pooled model and a Negotiated model.

However, Barney et al. does disclose maintaining all work context dimensions in several hierarchical levels of detail and further, performing analyses based on models from the knowledge management module (col. 5, lines 31 – 62; col. 7, line 40 – col. 8, line 62).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to associate the organizational information models with specific titles that further define the models because doing so facilitates the organization of the information flow models and thus, aids in the work pattern assessment process.

As per claim 46, Barney et al. does not expressly disclose the system of claim 43 wherein the work pattern data comprises data relevant to an amount of interaction by the individual with other individuals, a degree to which work performed by the individual is focused, and a degree to which work performed by the individual adheres to a defined procedure.

However, Barney et al. discloses work-oriented (i.e., tasks, roles and environment) and worker-oriented information (i.e., knowledge, skills and abilities).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to further define work pattern data to include an amount of

interaction between individuals, a degree to which work performed is focused, or a degree to which work performed adheres to a defined procedure because such characteristics provide additional levels of detail with which to conduct the job analyses, thus refining the job analysis process.

As per claim 47, Barney et al. does not expressly disclose the system of claim 43 wherein each of the plurality of work patterns correspond to at least one work pattern group comprising a Processor group, a Keeper group, a Concierge group, a Broker group, a Player group, and a Specialist group.

However, Barney et al. does maintain job position information in a job database, thus having the ability to “group” jobs requiring similar tasks and responsibilities.

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to associate the groupings with specific titles that further define the groups because doing so facilitates the organization of individuals based on their job functions, which further enhances the job analysis process.

As per claim 48, Barney et al. does not expressly disclose the system of claim 43 wherein the personal profile is adapted to be updated with additional work pattern data associated with the individual that is obtained via the interface.

However, Barney et al. does disclose receiving work-related data via an interface for updating and providing knowledge management solutions for particular job profiles and tasks to be performed by an individual (col. 2, line 56 – col. 3, line 58).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to provide knowledge management solutions for individuals

rather than jobs because doing so provides customized analyses catered to the specific needs of the individual.

As per claim 49, Barney et al. discloses the system of claim 43 further comprising a computer and wherein the diagnostic tool is operated with the computer (col. 3, lines 26 – 45; Figure 1).

As per claim 50, Barney et al. discloses the system of claim 49 wherein the computer is coupled to a network and the additional work pattern data is provided to the interface via the network (col. 3, lines 26 – 45; col. 5, lines 7 – 30; Figure 1).

As per claim 51, Barney et al. discloses the system of claim 50 wherein an electronic device connectable to the network collects the additional work pattern data (col. 3, lines 26 – 45; col. 5, lines 7 – 30; Figure 1).

As per claim 52, Barney et al. discloses the system of claim 51 wherein the knowledge management solution comprises the electronic device (col. 5, lines 1 – 4 and 45 – 49).

As per claim 53, Barney et al. discloses the system of claim 43 wherein the knowledge management solution comprises knowledge storage products (col. 3, lines 59 – 67; col. 5, lines 1 – 4 and 45 – 49).

As per claim 54, Barney et al. discloses the system of claim 43 wherein the diagnostic tool comprises digital data stored on a digital storage medium (Figure 1).

As per claim 55, Barney et al. discloses the system of claim 43 wherein the prescription tool is a product catalog (col. 3, lines 59 – 67; col. 5, lines 1 – 4 and 45 – 49).

As per claims 56 – 60 and 62, Barney et al. discloses the system of claim 43 wherein how the individual works within the work environment comprises how the individual collects knowledge (col. 1, lines 13 – 25; col. 5, lines 31 – 62; The reference discloses gathering and assessing work-oriented and worker-oriented information including knowledge, skills, abilities, personal characteristics and environmental conditions.).

As per claim 61, Barney et al. discloses the system of claim 60 wherein knowledge comprises at least one of how to arrange a workspace or how to organize a computer desktop (col. 1, lines 13 – 25; col. 5, lines 31 – 62; The reference discloses gathering and assessing work-oriented and worker-oriented information including knowledge, skills, abilities, personal characteristics and environmental conditions.).

12. Claims 67, 68 and 70 – 73 are rejected under 35 U.S.C. 103(a) as being unpatentable over Paizis (U.S. 6,338,042) as applied to claim 64 above, and Barney et al. (U.S. 6,070,143).

As per claim 67, Paizis does not expressly disclose the method of claim 64 further comprising: recommending a knowledge management solution for the individual based on the classification of the individual within at least one of the plurality of work pattern groups.

Barney et al. discloses recommending a knowledge management solution for the individual based on the classification of the individual within at least one of the plurality of work pattern groups (col. 7, lines 21 – 39; col. 8, line 59 – col. 9, line 23; The

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reference discloses a wizard for analyzing various aspects of a job and/or task such as knowledge, skills, abilities, etc., and recommending a knowledge management product based on the analysis.).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to recommend a knowledge management solution based on the classification because doing so provides customized analysis of workers that is catered for their specific needs.

As per claim 68, Barney et al. discloses the method of claim 67 wherein the knowledge management solution comprises knowledge storage products (col. 7, lines 21 – 39; col. 8, line 59 – col. 9, line 23; The reference discloses a wizard for analyzing various aspects of a job and/or task such as knowledge, skills, abilities, etc., and recommending a knowledge management product based on the analysis.).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have the knowledge management solution comprise knowledge storage products because doing so provides a convenient means for users to address their knowledge management problems.

As per claim 70, Paizis discloses a method for prescribing a knowledge management solution for an individual in a work environment, comprising:

defining a plurality of work pattern groups and a plurality of work pattern characteristics associated with each work pattern group (col. 2, lines 50 – 65; col. 4, lines 10 – 41; Figures 5A – 5C and 6; The reference discloses grouping individuals with

similar job responsibilities (i.e., work pattern data) and further, associating those groups with predefined characteristics with which to measure job performance.);

classifying the individual as a member of at least one of the work pattern groups based on the correlation (col. 2, lines 50 – 65; col. 4, lines 10 – 41; The reference discloses grouping individuals with similar job responsibilities (i.e., work pattern data) and further, associating those groups with predefined characteristics with which to measure job performance.); and

defining a personal profile for the individual, the personal profile including the classification of the individual (col. 2, lines 46 – 67).

Paizis does not expressly disclose collecting work pattern data associated with the individual relating to at least one of a group of characteristics comprising (a) an amount of interaction by the individual with other individuals, (b) a degree to which work performed by the individual is focused, or (c) a degree to which work performed by the individual adheres to a defined procedure; or recommending a knowledge management solution for the individual based on the defined personal profile.

However, Paizis does disclose defining characteristics for a particular position (i.e., work pattern group) in order to evaluate the performance of an individual. Paizis further provides examples of such predefined characteristics, including the ability to work with others, and acknowledges that they differ according to position, such as support staff versus manager (col. 4, lines 42 – 58).

Barney et al. discloses recommending a knowledge management solution for the individual based on the defined personal profile (col. 7, lines 21 – 39; col. 8, line 59 –

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col. 9, line 23; The reference discloses a wizard for analyzing various aspects of a job and/or task such as knowledge, skills, abilities, etc., and recommending a knowledge management product based on the analysis.).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to recommend a knowledge management solution based on a defined personal profile because doing so provides customized analysis of workers that is catered for their specific needs.

Additionally, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to further define work pattern data to include an amount of interaction between individuals, a degree to which work performed is focused, or a degree to which work performed adheres to a defined procedure because such characteristics provide additional measurements with which to conduct the performance evaluation of an individual in a particular position, thus refining the performance evaluation process.

As per claim 71, Paizis does not expressly disclose the method of claim 70 further comprising: identifying a personal style associated with the individual from the work pattern data wherein the personal profile further comprises the identified personal style.

However, Paizis does disclose defining characteristics for a particular position (i.e., work pattern group) in order to evaluate the performance of an individual. Paizis further provides examples of such predefined characteristics, including the ability to

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work with others, and acknowledges that they differ according to position, such as support staff versus manager (col. 4, lines 42 – 58).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to identify a personal style associated with an individual because doing so provides additional detail with which to conduct a performance evaluation, thus enhancing and refining the performance evaluation process.

As per claim 72, Barney et al. discloses the method of claim 70 further comprising:

defining a plurality of organizational information flow models and a plurality of information flow characteristics associated with each organizational information flow model (col. 5, lines 31 – 62; col. 7, line 40 – col. 8, line 62; The reference discloses maintaining all work context dimensions in several hierarchical levels of detail and further, performing analyses based on models from the knowledge management module.);

collecting organizational data associated with the individual's work environment (col. 5, lines 31 – 62; col. 7, lines 10 – 50; The reference discloses analyzing environmental work conditions.);

correlating the organizational data with the plurality of information flow characteristics associated with the organizational information flow models (col. 5, lines 31 – 62; col. 7, lines 10 – 50; The reference discloses analyzing environmental work conditions and recommending a knowledge management product based on the analyses.); and

identifying the organizational information flow model that corresponds to the individual's work environment based on the correlation (col. 5, lines 31 – 62; col. 7, lines 10 – 50; The reference discloses analyzing environmental work conditions and recommending a knowledge management product based on the analyses.).

Barney et al. does not expressly disclose refining the personal profile to comprise the identified organizational information flow model.

However, Barney et al. does disclose receiving work-related data via an interface for updating and providing knowledge management solutions for particular job profiles and tasks to be performed by an individual (col. 2, line 56 – col. 3, line 58):

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to refine the personal profile because doing so provides customized analyses catered to the specific needs of the individual.

As per claim 73, Barney et al. discloses the method of claim 70 wherein the knowledge management solution comprises knowledge storage products (col. 7, lines 21 – 39; col. 8, line 59 – col. 9, line 23; The reference discloses a wizard for analyzing various aspects of a job and/or task such as knowledge, skills, abilities, etc., and recommending a knowledge management product based on the analysis.).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have the knowledge management solution comprise knowledge storage products because doing so provides a convenient means for users to address their knowledge management problems.

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Sanders (U.S. 6,411,936) discusses an enterprise value enhancement system;
- Swartz et al. (U.S. 6,236,994) discusses a method for the integration of information and knowledge;
- Tang et al. (U.S. 6,349,327) discusses a system enabling awareness of others in a computer work environment;
- Ostby et al. (U.S. 5,326,270) discusses a system for assessing an individual's task-processing style;
- Molleman et al. "Self-organizing groups: conditions and constraints in a sociotechnical perspective," *International Journal of Manpower*, 1998, discusses knowledge management in team work environments;
- Peg et al. "Link HR to Corporate Strategy," *Personnel Journal*, April 1991, discusses strategies for producing effective and motivated employees; and
- Oppenheim, Richard. "Employee evaluation software," *Accounting Technology*, March 1995, discusses software products for making employee evaluations easier.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to C. Michelle Colon whose telephone number is 703-605-4251. The examiner can normally be reached Monday – Thursday from 8:30am to 5:30pm and every other Friday from 8:30am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz, can be reached at 703-305-9643.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

Any response to this action should be mailed to:

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703-305-7687 [Official Communications; including After Final
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703-746-7202 [For status inquiries, draft communication, labeled
"Proposed" or "Draft"]

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive,
Arlington, VA 7th floor receptionist.


cmc
January 8, 2003


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